

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MELISSA L. BEHRENDTS,

Plaintiff,

vs.

BNSF RAILWAY COMPANY,

Defendant.

4:17CV3008

ORDER

A telephone conference regarding a discovery dispute was held with the undersigned on March 13, 2018. After hearing the matter,

IT IS ORDERED as follows:

1. Defendant shall supply the cell phone records of Richard Duncan from February, 2014 through July, 2015. Defendant shall supply the cell phone records of Mike Harvey from January, 2015 to the date of Plaintiff's termination. The scope of the production shall be limited to records of phone calls with Plaintiff and co-workers who shall be specifically identified by their phone numbers by Plaintiff.

2. Defendant shall respond to Interrogatory Nos. 1 and 2.

3. Defendant shall respond to Interrogatory No. 9 and Request for Production No. 7, but the scope of these discovery requests is limited to the 36-month time period before Plaintiff was terminated and is further narrowed to only include conductors and engineers.

4. The parties resolved the discovery dispute concerning Interrogatory Nos. 10 and 23. Plaintiff has withdrawn Interrogatory No. 25.

5. Defendant represents that it has supplied a complete response to Request for Production No. 29. Defendant shall supplement its response to this Request as necessary.

6. Defendant may review the issue of the burdensomeness of responding to Plaintiff's discovery requests based on what the Court has ordered today. Should it so desire, and after conferring with Plaintiff's counsel in an effort to resolve the matter, Defendant may submit evidence regarding the burdensomeness of responding to the discovery requests to bazis@ned.uscourts.gov. The Court would then set another telephone conference to discuss the matter.

Dated this 13th day of March, 2018.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge